



PATENT  
Customer No. 22,852  
Attorney Docket No. 05725.1018-00000

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
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Xavier BLIN et al.	)	Group Art Unit: 1615
	)	
Application No.: 10/046,568	)	Examiner: Jyothsna A. VENKAT
	)	
Filed: January 16, 2002	)	
	)	
For: NAIL POLISH COMPOSITION	)	Confirmation No.: 1780
COMPRISING A POLYMER	)	

**MAIL STOP RCE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicants bring to the attention of the Office the documents listed on the attached Form PTO/SB/08. This Information Disclosure Statement is being filed concurrently with a Request for Continued Examination in this case. Therefore, under 37 C.F.R. § 1.97(b)(4), no fee is necessary for its consideration by the Office.

Copies of the newly listed documents are attached, excluding any U.S. Patents, U.S. Patent Application Publications, and co-pending U.S. patent applications that are available electronically or through the Image File Wrapper System. Applicants respectfully request that the Office consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

Applicants' representatives understand from the Examiner that in other related co-pending applications the Examiner considered references cited in the Forms PTO-1449 filed, but that she had crossed through some of the citations and did not initial the entries to avoid the printing of the those documents on the face of any patent granted there from. In the present case, Applicants are resubmitting on the attached form documents previously submitted but crossed through or not initialed by the Examiner for re-consideration. In light of the Examiner's representations regarding the crossing-out of references in the related co-pending applications, Applicants will consider any entries crossed through by her as having been properly submitted and considered by the Examiner, unless the Examiner specifically states otherwise in the papers returning the form.

#### **Submitted Copies of Office Actions**

The United States Court of Appeals for the Federal Circuit held in *Dayco Products, Inc. v. Total Containment, Inc.*, 329 F.3d 1358 (Fed. Cir. 2003), that an "adverse decision" by another examiner may meet the materiality standard under amended 37 C.F.R. § 1.56 and, thus, applicants should disclose prior rejections of "substantially similar claim[s]" to the Office. Accordingly, although Applicants do not represent that the Office Actions in the co-pending applications are material to the present application and do not admit that any of the other claims are substantially similar, out of an abundance of caution Applicants have listed the substantive Office Actions issued in co-pending applications on the attached PTO/SB/08. At the Office's

request, Applicants have not included copies those Office Actions issued in the co-pending applications by the present Examiner of this application.

### **Non-English-language References**

With respect to the following non-English-language documents listed on the attached Form PTO/SB/08, Applicants provide the following information regarding English-language abstracts and translations:

1. **DE 195 43 988 A1** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document was identified on the International Search Report in PCT/FR01/03726, which was submitted previously.
2. **DE 197 07 309 A1** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document was identified on the International Search Report in PCT/FR01/03937, which was submitted previously.
3. **DE 197 50 246 A1** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document was identified on the International Search Report in PCT/FR01/01958 and French Search Report in FR 0008084, which were submitted previously.
4. **DE 199 51 010 A1** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document was identified on the International Search Report in PCT/FR01/03726, which was submitted previously.

5. **DE 38 39 136 A1** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. The document is believed to be related to U.S. Patent No. 5,196,260.

6. **DE 38 43 892 A1** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document was identified on the International Search Report in PCT/FR01/03726, which was submitted previously. This document is believed to be related to U.S. Patent No. 5,061,289.

7. **DE 42 08 297 A1** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document was identified on the International Search Report in PCT/FR01/03726, which was submitted previously.

8. **DE 42 34 886 A1** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document was identified on the International Search Report in PCT/FR01/03726, which was submitted previously.

9. **EP 0 169 997 B1** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document is believed to be related to U.S. Patent No. 4,620,492, which is also submitted herewith.

10. **EP 0 557 196 A1** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document was identified on the International Search Reports in PCT/FR01/03939 and PCT/FR01/03940 and French Search Reports in FR 0016161 and FR 0016164, which

were submitted previously. This document is believed to be related to U.S. Patent No. 5,858,338.

11. **EP 0 609 132 B1** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document is believed to be related to U.S. Patent No. 5,830,444.

12. **EP 0 749 746 A1** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document was identified on the International Search Reports in PCT/FR01/03939 and PCT/FR01/03940 and French Search Reports in FR 0016161, FR 0016164, and FR 0100620, which were submitted previously. This document is believed to be related to U.S. Patent No. 5,945,095.

13. **EP 0 749 747 A1** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document was identified on the International Search Reports in PCT/FR01/03939 and PCT/FR01/03940 and French Search Reports in FR 0016161 and FR 0016164, which were submitted previously. This document is believed to be related to U.S. Patent No. 5,851,517.

14. **EP 0 749 748 A1** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document was identified on the International Search Report in PCT/FR01/03726, which were submitted previously. This document is believed to be related to U.S. Patent No. 5,769,902.

15. **EP 0 775 483 A1** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document was identified on the French Search Report in FR 0100620, which was submitted previously. This document is believed to be related to U.S. Patent No. 5,972,354.

16. **EP 0 820 764 A1** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document was identified on the International Search Report in PCT/FR01/00229 and French Search Reports in FR 0000920 and FR 0001004, which were submitted previously.

17. **EP 0 847 752 A1** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document was identified on the International Search Reports in PCT/FR01/03939 and PCT/FR01/03940 and French Search Reports in FR 0016161 and FR 0016164, which were submitted previously. This document is believed to be related to U.S. Patent No. 6,649,173 B1.

18. **EP 0 879 592 A2** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously.

19. **EP 0 887 073 A1** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document was identified on the International Search Report in PCT/FR02/00194, which was submitted previously. This document is believed to be related to U.S. Patent No. 6,203,780 B1.

20. **EP 0 923 928 A1** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document

was identified on the International Search Reports in PCT/FR01/03939, PCT/FR01/03940, and PCT/FR02/00194 and French Search Reports in FR 0016161, FR 0016164, and FR 9916588, which were submitted previously. This document is believed to be related to U.S. Patent No. 6,682,748 B1.

21. **EP 0 925 780 A1** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document was identified on the International Search Report in PCT/IB01/02820 and French Search Report in FR 9916588, which were submitted previously. This document is believed to be related to U.S. Patent No. 6,254,876 B1.

22. **EP 0 930 058 B1** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document is believed to be related to U.S. Patent No. 6,251,375 B1.

23. **EP 0 930 060 A1** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document was identified on the International Search Reports in PCT/FR01/03939 and PCT/FR01/03940 and French Search Reports in FR 0016161 and FR 0016164, which were submitted previously. This document is believed to be related to U.S. Patent No. 6,254,877 B1.

24. **EP 0 943 340 A1** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously.

25. **EP 0 958 811 A1** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document

was identified on the International Search Report in PCT/FR01/01958 and French Search Report in FR 0008084, which were submitted previously.

26. **EP 0 959 066 A2** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document is believed to be related to U.S. Patent No. 6,165,971.

27. **EP 0 959 091 A1** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document was identified on the International Search Report in PCT/FR01/01958 and French Search Report in FR 0008084, which were submitted previously. This document is believed to be related to U.S. Patent Application Publication No. US 2002/0119171 A1.

28. **EP 0 976 390 A1** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document was identified on the International Search Report in PCT/FR01/03938 and French Search Report in FR 0016180, which were submitted previously. This document is believed to be related to U.S. Patent Application Publication No. US 2001/0014313 A1.

29. **EP 1 002 514 A1** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document was identified on the French Search Report in FR 0100620, which was submitted previously. This document is believed to be related to U.S. Patent No. 6,203,807 B1.

30. **EP 1 031 342 A1** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document was identified on the International Search Report in PCT/US01/47459, which was submitted previously.



31. **EP 1 048 282 A1** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document was identified on the International Search Reports in PCT/FR01/03939 and PCT/FR01/03940 and French Search Reports in FR 0016161 and FR 0016164, which were submitted previously.

32. **EP 1 052 742 A1** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document was identified on the International Search Reports in PCT/IB00/02002, PCT/IB01/02786, and PCT/IB01/02820, which were submitted previously.

33. **EP 1 064 919 A1** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document was identified on the International Search Report in PCT/FR02/00129 and French Search Report in FR 0100479, which were submitted previously.

34. **EP 1 064 920 A1** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document was identified on the International Search Report in PCT/FR02/00129 and French Search Report in FR 0100479, which were submitted previously. This document is believed to be related to U.S. Patent No. 6,482,400 B1.

35. **EP 1 066 814 A1** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document was identified on the International Search Reports in PCT/IB00/02002, PCT/IB01/02786, and PCT/IB01/02820, which were submitted previously. This document is believed to be related to U.S. Patent No. 6,491,931 B1.

36. **EP 1 068 854 A1** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document was identified on the International Search Report in PCT/FR01/03938 and French Search Report in FR 0016180, which were submitted previously. This document is believed to be related to U.S. Patent No. 6,372,235 B1.

37. **EP 1 068 855 A1** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document was identified on the International Search Reports in PCT/FR01/01958, PCT/FR02/00194, PCT/IB01/02780, and PCT/IB01/02820 and French Search Reports in FR 0008084 and FR 0100620, which were submitted previously. This document is believed to be related to U.S. Patent No. 6,402,408 B1.

38. **EP 1 068 856 A1** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document was identified on the International Search Reports in PCT/FR02/00194, PCT/IB00/02000, PCT/IB00/02006, PCT/IB01/02780, PCT/IB01/02833, and PCT/US00/33596 and French Search Reports in FR 0114529 and FR 0114530, which were submitted previously.

39. **EP 1 086 945 A1** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document was identified on the International Search Report in PCT/FR01/03938 and French Search Report in FR 0016180, which were submitted previously.

40. **EP 1 090 627 B1** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document

was identified on the International Search Report in PCT/IB01/02820, which was submitted previously.

41. **EP 1 114 636 A1** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document was identified on the International Search Reports in PCT/FR01/03938 and PCT/FR02/00194 and French Search Report in FR 0016180, which were submitted previously. This document is believed to be related to U.S. Patent Application Publication No. US 2001/0031280 A1.

42. **FR 1 529 329** - A certified English translation of the disclosure of this document was submitted previously. This document was identified on the International Search Report in PCT/IB01/02786, which was submitted previously.

43. **FR 2 232 303** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document was identified on the International Search Report in PCT/FR01/03939 and French Search Report in FR 0016164, which were submitted previously. This document is believed to be related to U.S. Patent No. 3,937,811.

44. **FR 2 674 126** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document was identified on the French Search Report in FR 0100620, which was submitted previously.

45. **FR 2 785 179** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document was identified on the International Search Reports in PCT/FR01/03939 and

PCT/FR01/03940 and French Search Reports in FR 0016161 and FR 0016164, which were submitted previously.

46. **FR 2 796 270** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document is believed to be related to U.S. Patent No. 6,402,408 B1.

47. **FR 2 796 271** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document is the French Priority Application for co-pending U.S. Patent Application Serial No. 09/618,066.

48. **FR 2 796 272** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document is believed to be related to FR 2 796 271, which is the French Priority Application for co-pending U.S. Patent Application Serial No. 09/618,066 and was submitted previously.

49. **FR 2 796 273** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document is believed to be related to U.S. Patent No. 6,402,408 B1.

50. **FR 2 796 276** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document is believed to be related to U.S. Patent No. 6,372,235 B1.

51. **FR 2 802 806** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document is believed to be related to WO 02/055030 A2, which was submitted previously.

52. **FR 2 804 017** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document is believed to be related to U.S. Patent Application Publication No. US 2001/0031280 A1, which was submitted previously.

53. **FR 2 804 018** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document is believed to be related to WO 01/52799 A1, which was submitted previously.

54. **FR 2 810 562** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document is believed to be related to WO 01/97773 A1, which was submitted previously and for which an English-language Derwent abstract is submitted herewith.

55. **FR 2 811 225** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document is believed to be related to U.S. Patent No. 6,432,391 B1.

56. **FR 2 811 552** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document is believed to be related to U.S. Patent Application Publication No. US 2002/0150602 A1 and U.S. Patent No. 6,726,917 B2.

57. **FR 2 816 506** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document was identified on the International Search Reports in PCT/IB01/02780 and PCT/US01/47497, which were submitted previously.

58. **FR 2 817 739** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document is believed to be related to U.S. Patent Application Publication No. US 2003/0026772 A1, which was submitted previously.

59. **FR 2 817 740** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document is believed to be related to U.S. Patent Application Publication No. US 2003/0044367 A1.

60. **FR 2 817 743** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document is believed to be related to U.S. Patent Application Publication No. US 2002/0189030 A1.

61. **FR 2 819 399** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document is believed to be related to U.S. Patent Application Publication No. US 2002/0172696 A1.

62. **FR 2 819 400** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document is believed to be related to WO 02/055031 A1, which was submitted previously.

63. **FR 2 819 402** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document is believed to be related to U.S. Patent Application Publication No. US 2002/0192168 A1.

64. **JP 02/200612** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document is believed to be related to EP 0 370 470 B1 and CA 2,003,346, which were submitted previously.

65. **JP 04/346909** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document was identified on the International Search Report in PCT/FR01/03937, which was submitted previously.

66. **JP 09/255560** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously.

67. **JP 10/007527** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document can is believed to be related to U.S. Patent No. 5,667,770.

68. **JP 10/120903** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously.

69. **JP 10/212213** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously.

70. **JP 10/259344** - This document was identified on the International Search Report in PCT/FR02/00129 and French Search Report in FR 0100620, which were submitted previously. Furthermore, an abstract of the disclosure of this document can be found in the English-language Derwent Abstract, which was submitted previously and which abstract was identified on the International Search Report in PCT/FR02/00144 and French Search Report in FR 0100623, also submitted previously.

71. **JP 11/106216** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document was identified on the International Search Report in PCT/FR01/03938 and French Search Report in FR 0016180, which were submitted previously.

72. **JP 11/335228** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously.

73. **JP 11/335242** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously.

74. **JP 11/335254** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously.

75. **JP 2/127568** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously.

76. **JP 2/216279** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously.

77. **JP 2000038314 A** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously.

78. **JP 2000038316 A** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document is believed to be related to EP 0 958 805 A2, which was submitted previously.

79. **JP 2000038317 A** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document is believed to be related to EP 0 958 805 A2, which was submitted previously.

80. **JP 2000038321 A** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously.

81. **JP 2000086427 A** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. The document is believed to be related to EP 0 958 804 A2, which was submitted previously.



82. **JP 2000086429 A** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously.

83. **JP 2000086438 A** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously.

84. **JP 3/014683** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously.

85. **JP 50/58242** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract for JP 78 043577, which is submitted herewith.

86. **JP 53/043577** - An abstract of the disclosure of this document can be found in the English-language abstract from Patent Abstracts of Japan submitted previously. This document was identified on the International Search Reports in PCT/IB00/02002 and PCT/IB01/02786, which were submitted previously.

87. **JP 56/123909** - An abstract of the disclosure of this document can be found in the English-language abstract from Patent Abstracts of Japan submitted previously. This document was identified on the International Search Report in PCT/IB01/02786, which was submitted previously.

88. **JP 56/166276** - This document was identified on the International Search Report in PCT/FR02/00129 and French Search Report in FR 0100620, which were submitted previously. Furthermore, an abstract of the disclosure of this document can be found in the English-language abstract from Patent Abstracts of Japan, which was submitted previously and which abstract was identified on the International Search

Report in PCT/FR02/00144 and French Search Report in FR 0100623, also submitted previously.

89. **JP 61/065809** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document was identified on the French Search Report in FR 0100620, which was also submitted previously.

90. **JP 62/061911** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document was identified on the French Search Report in FR 0100620, which was also submitted previously.

91. **JP 7/179795** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously.

92. **JP 7/267827** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document was identified on the International Search Reports in PCT/IB00/02002 and PCT/IB01/02786, which were submitted previously.

93. **JP 8/225316** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously. This document was identified on the International Search Report in PCT/FR01/03938 and French Search Report in FR 016180, which were submitted previously.

94. **JP 9/20631** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously.

95. **JP 9/295922** - An abstract of the disclosure of this document can be found in the English-language Derwent Abstract submitted previously.

96. **WO 00/27350** - An English language Abstract of this document can be found on the front of this document. This document was identified on the International Search Report in PCT/US01/47454, which was submitted previously.

97. **WO 01/52799 A1** - An English language Abstract of this document can be found on the front of this document. This document was identified on the International Search Reports in PCT/FR02/00194, PCT/US01/47459, and PCT/US01/47499, which were submitted previously.

98. **WO 01/97773 A1** - An English-language Abstract of this document can be found on the front of this document. An abstract of the disclosure of this document can also be found in the English-language Derwent Abstract submitted herewith. This document is believed to be related to U.S. Patent Application Publication No. US 2003/0161807 A1.

99. **WO 02/055031 A1** - An English language Abstract of this document can be found on the front of this document. This document is the believed to be related to FR 2 819 400, which is the French Priority Application for co-pending U.S. Patent Application Serial No. 10/466,166 and is submitted herewith.

100. **WO 02/056845 A1** - An English language Abstract of this document can be found on the front of this document. This document was identified on the International Search Report in PCT/IB01/02780, which was submitted previously.

101. **WO 02/056847 A1** - An English-language Abstract of this document can be found on the front of this document. An abstract of the disclosure of this document

can also be found in the English-language Derwent Abstract submitted herewith. This document is believed to be related to U.S. Patent Application Publication No. US 2002/0172696 A1, which was submitted previously.

102. **WO 02/056848 A1** - An English-language Abstract of this document can be found on the front of this document. An abstract of the disclosure of this document can also be found in the English-language Derwent Abstract submitted herewith. This document is believed to be related to U.S. Patent Application Publication No. US 2002/0192168 A1, which was submitted previously.

103. **WO 02/47605 A2** - An English language Abstract of this document can be found on the front of this document. This document is believed to be related to U.S. Patent Application Publication No. US 2003/0044367 A1.

104. **WO 02/47622 A2** - An English-language Abstract of this document can be found on the front of this document. An abstract of the disclosure of this document can also be found in the English-language Derwent Abstract submitted herewith. This document is believed to be related to U.S. Patent Application Publication No. US 2002/0168335 A1.

105. **WO 02/47627 A1** - An English language Abstract of this document can be found on the front of this document. This document is believed to be related to U.S. Patent Application Publication No. US 2003/0026772 A1.

106. **WO 02/47629 A1** - An English-language Abstract of this document can be found on the front of this document. An abstract of the disclosure of this document can also be found in the English-language Derwent Abstract submitted herewith. This

document is believed to be related to U.S. Patent Application Publication No.

US 2002/0189030 A1.

107. **WO 02/47630 A1** - An English-language Abstract of this document can be found on the front of this document. An abstract of the disclosure of this document can also be found in the English-language Derwent Abstract submitted herewith. This document is believed to be related to U.S. Patent Application Publication No.

US 2003/0012764 A1.

108. **WO 91/12793** - An English language Abstract of this document can be found on the front of this document. This document was identified on the International Search Report in PCT/FR01/03939 and French Search Report in FR 016164, which were submitted previously.

109. **WO 94/21233** - An English language Abstract of this document can be found on the front of this document. This document is believed to be related to U.S. Patent No. 5,612,043. This document was identified on the International Search Report in PCT/FR02/00194, which was submitted previously.

110. **WO 95/15741** - An English language abstract of this foreign language document can be found on the front of this document. This document was identified on the International Search Reports in PCT/FR01/03939 and PCT/FR01/03940 and French Search Reports in FR 0016161 and FR 0016164, which were submitted previously. This document is believed to be related to U.S. Patent No. 5,866,149.

111. **WO 95/33000** - An English language Abstract of this document can be found on the front of this document. This document is believed to be related to U.S. Patent No. 5,747,625.

112. **WO 98/22078** - An English language Abstract of this document can be found on the front of this document. This document was identified on the International Search Report in PCT/FR01/03726, which was submitted previously. This document is believed to be related to U.S. Patent No. 6,171,347.

113. **WO 86/04916** - An English-language Abstract of this document can be found on the front of this document, which was submitted previously. An abstract of the disclosure of this document can also be found in the English-language Derwent Abstract submitted herewith. This document is believed to be related to U.S. Patent No. 5,268,029.

### **Co-Pending U.S. Litigation**

Further to the Notification of Pending Litigation filed July 23, 2004, Applicants submit two documents related to the patent infringement action styled *L'Oreal S.A. v. Estee Lauder Companies, Inc.*, Civ. No. 04-1660 (HAA) (D.N.J filed April 4, 2004). The first document is a copy of the Court docket. The second document is a copy of Estée Lauder's Response to Plaintiffs' First Set of Interrogatories (Nos. 1-6). Both of these documents are enclosed with this Information Disclosure Statement and listed on the Form PTO/SB/08 for the Office's consideration.

### **Conclusion**

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Office applies any of the

documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office with the relevant facts and law regarding the appropriate status of such documents.

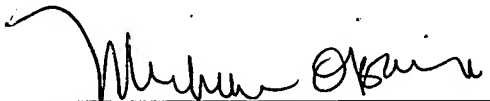
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Information Disclosure Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: March 22, 2005

By: 

Michelle E. O'Brien  
Reg. No. 46,203

Complete if Known

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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of

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Application Number

10/046,568

Filing Date

January 16, 2002

First Named Inventor

Xavier BLIN

Art Unit

1615

Examiner Name

Jyothsna A. VENKAT

Attorney Docket Number

05725.1018-00000

## U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

Examiner Initials	Cite No.	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code (if known)			
		4,278,658	7/14/1981	Hooper et al.	
		4,620,492	11/4/1986	Vogg et al.	
		4,952,245	8/28/1990	Iwano et al.	
		5,034,219	7/23/1991	Deshpande et al.	
		5,061,289	10/29/1991	Clausen et al.	
		5,073,364	12/17/1991	Giezendanner et al.	
		5,085,859	2/4/1992	Halloran et al.	
		5,196,260	3/23/1993	Dirshl et al.	
		5,268,029	12/7/1993	Demangeon et al.	
		5,272,241	12/21/1993	Lucarelli et al.	
		5,302,398	4/12/1994	Egidio et al.	
		5,342,894	8/30/1994	Robeson et al.	
		5,362,482	11/8/1994	Yoneyama et al.	
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		5,389,363	2/14/1995	Snyder et al.	
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		5,486,431	1/23/1996	Tuttle et al.	
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		5,538,718	7/23/1996	Aul et al.	
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		5,603,925	2/18/1997	Ross et al.	
		5,610,199	3/11/1997	Cohen et al.	
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		5,616,331	4/1/1997	Allard et al.	

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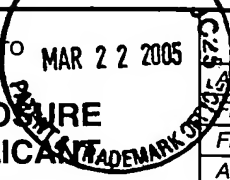
Application Number	10/046,568
Filing Date	January 16, 2002
First Named Inventor	Xavier BLIN
Art Unit	1615
Examiner Name	Jyothsna A. VENKAT
Attorney Docket Number	05725.1018-00000

**U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS**

Examiner Initials	Cite No.	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code (if known)			
		5,618,523	4/8/1997	Zysman et al.	
		5,620,693	4/15/1997	Piot et al.	
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		5,769,902	6/23/1988	Samain	
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Application Number	10/046,568
Filing Date	January 16, 2002
First Named Inventor	Xavier BLIN
Art Unit	1615
Examiner Name	Jyothsna A. VENKAT
Attorney Docket Number	05725.1018-00000

Sheet **3** of **17**

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials	Cite No.	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code (if known)			
		6,106,820	8/22/2000	Morrissey et al.	
		6,156,804	12/5/2000	Chevalier et al.	
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		US 2004/0166076 A1	8/26/2004	Ferrari et al.	
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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>			Application Number	10/046,568	
			Filing Date	January 16, 2002	
			First Named Inventor	Xavier BLIN	
			Art Unit	1615	
			Examiner Name	Jyothsna A. VENKAT	
Sheet	4	of	17	Attorney Docket Number	05725.1018-00000

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation
		Country Code Number Kind Code (if known)				
		DE 195 43 988 A1	5/28/1997			Abstract
		DE 197 07 309 A1	8/13/1998			Abstract
		DE 197 50 246 A1	5/20/1999			Abstract
		DE 199 51 010 A1	4/26/2001			Abstract
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		EP 0 775 483 A1	5/28/1997			Abstract
		EP 0 820 764 A1	1/28/1998			Abstract
		EP 0 847 752 A1	6/17/1998			Abstract
		EP 0 879 592 A2	11/25/1998			Abstract
		EP 0 887 073 A1	12/30/1998			Abstract
		EP 0 923 928 A1	6/23/1999			Abstract
		EP 0 925 780 A1	6/30/1999	de la Poterie		Abstract
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		EP 0 930 060 A1	7/21/1999			Abstract
		EP 0 943 340 A1	9/22/1999			Abstract
		EP 0 958 811 A1	11/24/1999			Abstract
		EP 0 959 066 A2	11/24/1999			Abstract
		EP 0 959 091 A1	11/24/1999			Abstract

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Application Number	10/046,568
Filing Date	January 16, 2002
First Named Inventor	Xavier BLIN
Art Unit	1615
Examiner Name	Jyothsna A. VENKAT
Attorney Docket Number	05725.1018-00000

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FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation
		Country Code Number Kind Code (if known)				
		EP 0 976 390 A1	2/2/2000			Abstract
		EP 0 984 025 A2	3/8/2000			English
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		FR 1 529 329	5/6/1968			Translation
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		FR 2 785 179	5/5/2000			Abstract
		FR 2 796 270	1/19/2001			Abstract
		FR 2 796 271	1/19/2001			Abstract
		FR 2 796 272	1/19/2001	Ferrari et al.		Abstract
		FR 2 796 273	1/19/2001	Ferrari		Abstract
		FR 2 796 276	1/19/2001			Abstract
		FR 2 802 806	6/29/2001	Ferrari et al.		Abstract
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		FR 2 804 018	7/27/2001	Ferrari		Abstract

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Application Number	10/046,568
Filing Date	January 16, 2002
First Named Inventor	Xavier BLIN
Art Unit	1615
Examiner Name	Jyothsna A. VENKAT
Attorney Docket Number	05725.1018-00000

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		Country Code Number Kind Code (if known)				
		FR 2 810 562	12/28/2001	Lemann		Abstract
		FR 2 811 225	1/11/2002	Bara		Abstract
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		FR 2 819 402	7/19/2002			Abstract
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		JP 04/346909	12/2/1992			Abstract
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		JP 10/212213	8/11/1998			Abstract
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		JP 11/335228	12/7/1999			Abstract
		JP 11/335242	12/7/1999			Abstract
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		JP 2/216279	8/29/1990			Abstract
		JP 2000038314 A	2/8/2000			Abstract
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Application Number

10/046,568

Filing Date

January 16, 2002

First Named Inventor

Xavier BLIN

Art Unit

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Examiner Name

Jyothsna A. VENKAT

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		Country Code Number Kind Code (if known)				
		JP 2000086427 A	3/28/2000			Abstract
		JP 2000086429 A	3/28/2000			Abstract
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		JP 3/014683	1/23/1991			Abstract
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		JP 61/065809	4/4/1986			Abstract
		JP 62/061911	3/18/1987			Abstract
		JP 7/179795	7/18/1995			Abstract
		JP 7/267827	10/17/1995			Abstract
		JP 8/225316	9/3/1996			Abstract
		JP 9/20631	1/21/1997			Abstract
		JP 9/295922	11/18/1997			Abstract
		WO 00/27350	5/18/2000			English Abstract
		WO 01/51020 A1	7/19/2001			English
		WO 01/52799 A1	7/26/2001			English Abstract
		WO 01/97773 A1	12/27/2001	Lemann		English Abstract
		WO 02/055031 A1	7/18/2002			English Abstract
		WO 02/056845 A1	7/25/2002			English Abstract
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		WO 02/47622 A2	6/20/2002	Collin		English Abstract
		WO 02/47627 A1	6/20/2002			English Abstract
		WO 02/47629 A1	6/20/2002	Collin		English Abstract

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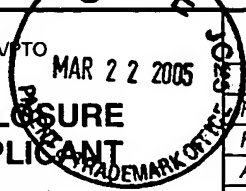
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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>			Application Number	10/046,568	
			Filing Date	January 16, 2002	
			First Named Inventor	Xavier BLIN	
			Art Unit	1615	
			Examiner Name	Jyothsna A. VENKAT	
Sheet	8	of	17	Attorney Docket Number	05725.1018-00000

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		Country Code Number Kind Code (if known)				
		WO 02/47630 A1	6/20/2002	Collin		English Abstract
		WO 91/12793	9/5/1991			English Abstract
		WO 94/21233	9/29/1994			English Abstract
		WO 95/15741	6/15/1995			English Abstract
		WO 95/33000	12/7/1995			English Abstract
		WO 98/22078	5/28/1998			English Abstract

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation
		Co-Pending Application No. 09/618,032; issued as U.S. Patent No. 6,402,408 on June 11, 2002, Attorney Docket No. 5725.0659-00 Title: COMPOSITION CONTAINING A LIQUID FATTY PHASE GELLED WITH A POLYAMIDE CONTAINING ESTER END GROUPS Inventor: Véronique FERRARI U.S. Filing Date: July 17, 2000	
		Co-Pending Application No. 09/618,066; Attorney Docket No. 5725.0656-00 Title: COMPOSITIONS IN RIGID FORM STRUCTURED WITH A POLYMER Inventors: Véronique FERRARI and Pascal SIMON U.S. Filing Date: July 17, 2000	
		Co-Pending Application No. 09/685,577; Attorney Docket No. 5725.0656-01 Title: COMPOSITIONS IN RIGID FORM STRUCTURED WITH A POLYMER Inventors: Véronique FERRARI and Pascal SIMON U.S. Filing Date: October 11, 2000	
		Co-Pending Application No. 09/685,578; Attorney Docket No. 5725.0659-01 Title: COMPOSITION CONTAINING A LIQUID FATTY PHASE GELLED WITH A POLYAMIDE CONTAINING ESTER END GROUPS Inventor: Véronique FERRARI U.S. Filing Date: CIP filed October 11, 2000	
		Co-Pending Application No. 09/733,896; Attorney Docket No. 5725.0806-00 Title: COMPOSITIONS CONTAINING HETEROPOLYMERS AND OIL-SOLUBLE POLYMERS AND METHODS OF USING SAME Inventors: Carlos PINZON and Paul THAU U.S. Filing Date: December 12, 2000	
		Co-Pending Application No. 09/733,897; Attorney Docket No. 5725.0809-00 Title: COMPOSITIONS CONTAINING HETEROPOLYMERS AND METHODS OF USING SAME Inventors: Carlos PINZON and Paul THAU U.S. Filing Date: December 12, 2000	

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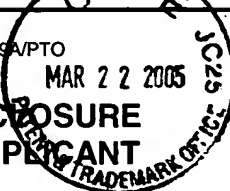
IDS Form PTO/SB/08: Substitute for form 1449A/PTO  <div style="text-align: center;">  </div>			<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)			Application Number Filing Date First Named Inventor Art Unit Examiner Name Attorney Docket Number	10/046,568 January 16, 2002 Xavier BLIN 1615 Jyothsna A. VENKAT 05725.1018-00000
Sheet	9	of	17	

NON PATENT LITERATURE DOCUMENTS			
		Co-Pending Application No. 09/733,898; Attorney Docket No. 5725.0808-00 Title: COMPOSITIONS CONTAINING HETEROPOLYMERS AND OIL-SOLUBLE ESTERS AND METHODS OF USING SAME Inventors: Carlos PINZON and Paul THAU U.S. Filing Date: December 12, 2000	
		Co-Pending Application No. 09/733,899; Attorney Docket No. 5725.0594-00 Title: COSMETIC COMPOSITIONS CONTAINING AT LEAST ONE HETERO POLYMER AND AT LEAST ONE FILM-FORMING SILICONE RESIN AND METHODS OF USING Inventors: Mohamed KANJI et al. U.S. Filing Date: December 12, 2000	
		Co-Pending Application No. 09/733,900; Attorney Docket No. 5725.0595-00 Title: COSMETIC COMPOSITIONS CONTAINING HETEROPOLYMERS AND OIL-SOLUBLE CATIONIC SURFACTANTS AND METHODS OF USING Inventors: Carlos PINZON and Paul THAU U.S. Filing Date: December 12, 2000	
		Co-Pending Application No. 09/749,036; Attorney Docket No. 5725.0832-00 Title: COMPOSITION COMPRISING AT LEAST ONE HETERO POLYMER AND AT LEAST ONE PASTY FATTY SUBSTANCE AND METHODS FOR USE Inventors: Véronique FERRARI et al. U.S. Filing Date: December 28, 2000	
		Co-Pending Application No. 09/899,909, issued as U.S. Patent No. 6,432,391 on August 13, 2002, Attorney Docket No. 5725.0920-00-000 Title: TRANSPARENT SCENTED SOLID COSMETIC COMPOSITION U.S. Filing Date: July 9, 2001	
		Co-Pending Application No. 09/937,314; Attorney Docket No. 5725.0932-00-000 Title: TRANSFER-FREE COMPOSITION STRUCTURED IN THE STIFF FORM BY A POLYMER U.S. Filing Date: September 24, 2001	
		Co-Pending Application No. 09/971,028, issued as U.S. Patent No. 6,716,420 on April 6, 2004; Attorney Docket No. 5725.0895-00-000 Title: METHODS OF DISPERSING AT LEAST ONE COLORING AGENT USING AT LEAST ONE HETEROPOLYMER U.S. Filing Date: October 5, 2001	
		Co-Pending Application No. 10/012,029; Attorney Docket No. 5725.1003-00-000 Title: COSMETIC COMPOSITION COMPRISING A POLYMER BLEND U.S. Filing Date: December 11, 2001	
		Co-Pending Application No. 10/012,051; Attorney Docket No. 5725.1004-00-000 Title: USE OF A POLYMER FOR OBTAINING AN EXPRESS MAKE-UP OF KERATIN MATERIALS U.S. Filing Date: December 11, 2001	
		Co-Pending Application No. 10/012,052; Attorney Docket No. 5725.1005-00-000 Title: COSMETIC COMPOSITION COMPRISING A WAX AND A POLYMER U.S. Filing Date: December 11, 2001	
		Co-Pending Application No. 10/046,568; Attorney Docket No. 5725.1018-00-000 Title: NAIL POLISH COMPOSITION COMPRISING A POLYMER U.S. Filing Date: January 16, 2002	
		Co-Pending Application No. 10/047,987, Attorney Docket No. 5725.1020-00-000 Title: COSMETIC COMPOSITION CONTAINING A POLYMER AND A FLUORO OIL U.S. Filing Date: January 17, 2002	

Examiner Signature		Date Considered	
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			Application Number	10/046,568	
			Filing Date	January 16, 2002	
			First Named Inventor	Xavier BLIN	
			Art Unit	1615	
			Examiner Name	Jyothsna A. VENKAT	
			Attorney Docket Number	05725.1018-00000	
Sheet	10	of	17		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation
		Co-Pending Application No. 10/129,377; Attorney Docket No. 5725.0819-01-000 Title: COMPOSITIONS STRUCTURED WITH A POLYMER CONTAINING A HETEROATOM AND AN ORGANOGELEATOR U.S. Filing Date: May 3, 2002	
		Co-Pending Application No. 10/182,830; Attorney Docket No. 05725.0795-01 Title: COSMETIC COMPOSITION COMPRISING HETERO POLYMERS AND A SOLID SUBSTANCE AND METHOD OF USING SAME U.S. Filing Date: August 2, 2002	
		Co-Pending Application No. 10/198,931, Attorney Docket No. 5725.0896-00-000 Title: COMPOSITIONS COMPRISING AT LEAST ONE HETEROPOLYMER AND FIBERS, AND METHODS OF USING THE SAME U.S. Filing Date: July 22, 2002	
		Co-Pending Application No. 10/203,018; Attorney Docket No. 05725.0816-01 Title: COMPOSITION COMPRISING AT LEAST ONE HETERO POLYMER AND AT LEAST ONE INERT FILLER AND METHODS FOR USE U.S. Filing Date: August 5, 2002	
		Co-Pending Application No. 10/203,254; Attorney Docket No. 05725.0817-01 Title: COSMETIC COMPOSITIONS CONTAINING AT LEAST ONE HETEROPOLYMER AND AT LEAST ONE GELLING AGENT AND METHODS OF USING THE SAME U.S. Filing Date: August 7, 2002	
		Co-Pending Application No. 10/203,374, Attorney Docket No. 6028.0019-00-000 Title: METHOD FOR MAKING A COLOURED MAKE-UP COSMETIC COMPOSITION WITH CONTROLLED TRANSMITTANCE U.S. Filing Date: August 9, 2002	
		Co-Pending Application No. 10/203,375, Attorney Docket No. 6028.0018-00-000 Title: TRANSPARENT OR TRANSLUCENT COLORED COSMETIC COMPOSITION U.S. Filing Date: August 9, 2002	
		Co-Pending Application No. 10/312,083, Attorney Docket No. 5725.1187-00-000 Title: SOLID EMULSION CONTAINING A LIQUID FATTY PHASE STRUCTURED WITH A POLYMER U.S. Filing Date: December 23, 2002	
		Co-Pending Application No. 10/413,217, Attorney Docket No. 5725.0895-01000 Title: METHODS OF DISPERSING AT LEAST ONE COLORING AGENT USING AT LEAST ONE HETEROPOLYMER U.S. Filing Date: April 15, 2003	
		Co-Pending Application No. 10/450,108, Attorney Docket No. 5725.1198-00-000 Title: COSMETIC COMPOSITION COMPRISING A POLYMER AND FIBRES U.S. Filing Date: June 11, 2003	
		Co-Pending Application No. 10/459,636, Attorney Docket No. 5725.1336-00-000 Title: COSMETIC EMULSIONS CONTAINING AT LEAST ONE HETERO POLYMER AND AT LEAST ONE SUNSCREEN AND METHODS OF USING THE SAME U.S. Filing Date: June 12, 2003	
		Co-Pending Application No. 10/466,166, Attorney Docket No. 5725.1228-00-000 Title: COSMETIC COMPOSITION COMPRISING A MIXTURE OF POLYMERS U.S. Filing Date: July 14, 2003	

Examiner Signature		Date Considered	
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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

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of

17

Application Number

10/046,568

Filing Date

January 16, 2002

First Named Inventor

Xavier BLIN

Art Unit

1615

Examiner Name

Jyothsna A. VENKAT

Attorney Docket Number

05725.1018-00000

**NON PATENT LITERATURE DOCUMENTS**

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		Co-Pending Application No. 10/618,315, Attorney Docket No. 5725.1337-00-000 Title: COSMETIC COMPOSITIONS COMPRISING A STRUCTURING AGENT, SILICONE POWDER AND SWELLING AGENT U.S. Filing Date: July 11, 2003	
		Co-Pending Application No. 10/699,780, Attorney Docket No. 5725.0895-02 Title: METHODS OF DISPERSING AT LEAST ONE COLORING AGENT USING AT LEAST ONE HETEROPOLYMER U.S. Filing Date: November 4, 2003	
		Co-Pending Application No. 10/746,612, Attorney Docket No. 5725.1338-01-000 Title: COSMETIC COMPOSITIONS COMPRISING A STRUCTURING AGENT, SILICONE POWDER AND SWELLING AGENT U.S. Filing Date: December 22, 2003	
		Co-Pending Application No. 10/747,412, Attorney Docket No. 5725.1338-02-000 Title: COSMETIC EMULSIONS CONTAINING AT LEAST ONE HETERO POLYMER AND AT LEAST ONE SUNSCREEN AND METHODS OF USING THE SAME U.S. Filing Date: December 22, 2003	
		Co-Pending Application No. 10/787,440, Attorney Docket No. 5725.0816-02-000 Title: COMPOSITION COMPRISING AT LEAST ONE HETERO POLYMER AND AT LEAST ONE INERT FILLER AND METHODS FOR USE U.S. Filing Date: February 27, 2004	
		Co-Pending Application No. 10/787,441, Attorney Docket No. 5725.0795-02-000 Title: COSMETIC COMPOSITION COMPRISING HETERO POLYMERS AND A SOLID SUBSTANCE AND METHOD OF USING SAME U.S. Filing Date: February 27, 2004	
		Co-Pending Application No. 10/918,579, Attorney Docket No. 05725.0808-02 Title: COMPOSITIONS CONTAINING HETEROPOLYMERS AND OILSOLUBLE ESTERS AND METHODS OF USING SAME U.S. Filing Date: August 16, 2004.	
		Co-Pending Application No. 10/933,430, Attorney Docket No. 05725.1003-01 Title: COSMETIC COMPOSITION COMPRISING A POLYMER BLEND U.S. Filing Date: November 22, 2004	
		Co-Pending Application No. 10/933,431, Attorney Docket No. 05725.0932-01 Title: A TRANSFER-FREE COMPOSITION STRUCTURED IN RIGID FORM BY A POLYMER U.S. Filing Date: November 22, 2004	
		Co-Pending Application No. 10/990,475, Attorney Docket No. 05725.1004-01 Title: USE OF A POLYMER FOR OBTAINING AN EXPRESS MAKE-UP OF KERATIN MATERIALS U.S. Filing Date: November 18, 2004	
		Co-Pending Application No. 11/019,382, Attorney Docket No. 05725.1378 Title: COSMETIC COMPOSITION COMPRISING TWO DIFFERENT HETERO POLYMERS AND METHOD OF USING SAME U.S. Filing Date: December 23, 2004	
		English language abstract of JP 78/043577	
		English language DERWENT abstract of WO 01/97773	

Examiner  
SignatureDate  
Considered

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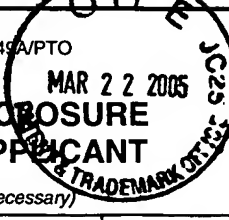
IDS Form PTO/SB/08: Substitute for form 1449A/PTO  <div style="text-align: center;"> <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i> </div>				<b>Complete if Known</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td>10/046,568</td> </tr> <tr> <td>Filed Date</td> <td>January 16, 2002</td> </tr> <tr> <td>First Named Inventor</td> <td>Xavier BLIN</td> </tr> <tr> <td>Art Unit</td> <td>1615</td> </tr> <tr> <td>Examiner Name</td> <td>Jyothsna A. VENKAT</td> </tr> <tr> <td>Attorney Docket Number</td> <td>05725.1018-00000</td> </tr> </table>		Application Number	10/046,568	Filed Date	January 16, 2002	First Named Inventor	Xavier BLIN	Art Unit	1615	Examiner Name	Jyothsna A. VENKAT	Attorney Docket Number	05725.1018-00000
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Attorney Docket Number	05725.1018-00000																
Sheet	12	of	17														

### NON PATENT LITERATURE DOCUMENTS

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		English language DERWENT abstract of WO 02/056847	
		English language DERWENT abstract of WO 02/056848	
		English language DERWENT abstract of WO 02/47622	
		English language DERWENT abstract of WO 02/47629	
		English language DERWENT abstract of WO 02/47630	
		English language DERWENT abstract of WO 86/04916	
		Estee Lauder MagnaScopic Maximum Volume mascara product packaging, believed to have first been sold in 2003	
		Estee Lauder's Response to Plaintiff's First Set of Interrogatories (Nos. 1-6), dated September 27, 2004, in the on-going litigation L'Oreal S.A., et al. v. The Estee Lauder Companies Inc., et al., Civil Action No. 04-1660 (D.N.J.)	
		McCutcheon's VOLUME 1: Emulsifiers & Detergents, North American Edition MC Publishing Co., Glen Rock NJ (1993), pp. 272-273.	
		Office Action in co-pending Application No. 09/618,066 (Attorney Docket No. 05725.0656-00) dated December 21, 2001 (Ex. Seidleck)	
		Office Action in co-pending Application No. 09/618,066 (Attorney Docket No. 05725.0656-00) dated July 15, 2002 (Ex. Sheikh)	
		Office Action in co-pending Application No. 09/618,066 (Attorney Docket No. 05725.0656-00) dated July 16, 2003 (Ex. Sheikh)	
		Office Action in co-pending Application No. 09/618,066 (Attorney Docket No. 05725.0656-00) dated November 19, 2003 (Ex. Sheikh)	
		Office Action in co-pending Application No. 09/685,577 (Attorney Docket No. 05725.0656-01) dated August 11, 2004 (Ex. Venkat)	
		Office Action in co-pending Application No. 09/685,577 (Attorney Docket No. 05725.0656-01) dated July 15, 2002 (Ex. Sheikh)	
		Office Action in co-pending Application No. 09/685,577 (Attorney Docket No. 05725.0656-01) dated July 16, 2003 (Ex. Sheikh)	
		Office Action in co-pending Application No. 09/685,577 (Attorney Docket No. 05725.0656-01) dated November 19, 2003 (Ex. Sheikh)	
		Office Action in co-pending Application No. 09/685,578 (Attorney Docket No. 05725.0659-01) dated August 11, 2004 (Ex. Pryor)	
		Office Action in co-pending Application No. 09/685,578 (Attorney Docket No. 05725.0659-01) dated February 8, 2005 (Ex. Pryor)	
		Office Action in co-pending Application No. 09/685,578 (Attorney Docket No. 05725.0659-01) dated May 7, 2003 (Ex. Pryor)	

Examiner Signature		Date Considered	
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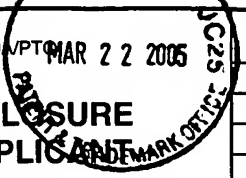
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Sheet	13	of	17		

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		Office Action in co-pending Application No. 09/685,578 (Attorney Docket No. 05725.0659-01) dated November 19, 2003 (Ex. Pryor)	
		Office Action in co-pending Application No. 09/733,896 (Attorney Docket No. 05725.0806) dated January 28, 2003 (Ex. Rajguru)	
		Office Action in co-pending Application No. 09/733,896 (Attorney Docket No. 05725.0806) dated July 19, 2002 (Ex. Rajguru)	
		Office Action in co-pending Application No. 09/733,896 (Attorney Docket No. 05725.0806) dated November 18, 2003 (Ex. Rajguru)	
		Office Action in co-pending Application No. 09/733,897 (Attorney Docket No. 05725.0809) dated April 15, 2002 (Ex. Berman)	
		Office Action in co-pending Application No. 09/733,897 (Attorney Docket No. 05725.0809) dated April 23, 2003 (Ex. Wells)	
		Office Action in co-pending Application No. 09/733,897 (Attorney Docket No. 05725.0809) dated August 29, 2002 (Ex. Berman)	
		Office Action in co-pending Application No. 09/733,897 (Attorney Docket No. 05725.0809) dated May 6, 2004 (Ex. Yu)	
		Office Action in co-pending Application No. 09/733,898 (Attorney Docket No. 05725.0808) dated April 29, 2003 (Ex. Yoon)	
		Office Action in co-pending Application No. 09/733,898 (Attorney Docket No. 05725.0808) dated August 28, 2002 (Ex. Yoon)	
		Office Action in co-pending Application No. 09/733,898 (Attorney Docket No. 05725.0808) dated December 23, 2003 (Ex. Yoon)	
		Office Action in co-pending Application No. 09/733,899 (Attorney Docket No. 05725.0594) dated April 7, 2004 (Ex. Lamm)	
		Office Action in co-pending Application No. 09/733,899 (Attorney Docket No. 05725.0594) dated April 9, 2003 (Ex. Lamm)	
		Office Action in co-pending Application No. 09/733,899 (Attorney Docket No. 05725.0594) dated September 22, 2004 (Ex. Venkat)	
		Office Action in co-pending Application No. 09/733,900 (Attorney Docket No. 05725.0595) dated April 7, 2004 (Ex. Lamm)	
		Office Action in co-pending Application No. 09/733,900 (Attorney Docket No. 05725.0595) dated December 1, 2004 (Ex. Venkat)	
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IDS Form PTO/SB/08: Substitute for form 1449 MPT

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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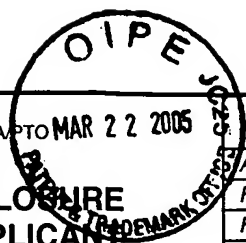
Application Number	10/046,568
Filing Date	January 16, 2002
First Named Inventor	Xavier BLIN
Art Unit	1615
Examiner Name	Jyothsna A. VENKAT
Attorney Docket Number	05725.1018-00000

Sheet 14 of 17

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		Office Action in co-pending Application No. 09/749,036 (Attorney Docket No. 05725.0832) dated July 16, 2002 (Ex. Howard)	
		Office Action in co-pending Application No. 09/749,036 (Attorney Docket No. 05725.0832) dated May 5, 2004 (Ex. Howard)	
		Office Action in co-pending Application No. 09/899,909 (Attorney Docket No. 05725.0920) dated December 18, 2001 (Ex. Dodson)	
		Office Action in co-pending Application No. 09/937,314 (Attorney Docket No. 05725.0932) dated May 19, 2004 (Ex. Venkat)	
		Office Action in co-pending Application No. 09/971,028 (Attorney Docket No. 05725.0895-00) dated August 11, 2003 (Ex. Wang)	
		Office Action in co-pending Application No. 09/971,028 (Attorney Docket No. 05725.0895-00) dated March 26, 2003 (Ex. Wang)	
		Office Action in co-pending Application No. 10/012,029 (Attorney Docket No. 05725.1003) dated November 20, 2002 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/012,029 (Attorney Docket No. 05725.1003) dated September 08, 2003 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/012,051 (Attorney Docket No. 05725.1004) dated January 14, 2003 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/012,051 (Attorney Docket No. 05725.1004) dated May 14, 2004 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/012,051 (Attorney Docket No. 05725.1004) dated October 3, 2003 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/012,052 (Attorney Docket No. 05725.1005) dated November 6, 2003 (Ex. Wells)	
		Office Action in co-pending Application No. 10/012,052 (Attorney Docket No. 05725.1005-00) dated August 9, 2004 (Ex. Wells)	
		Office Action in co-pending Application No. 10/046,568 (Attorney Docket No. 05725.1018) dated December 30, 2003 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/046,568 (Attorney Docket No. 05725.1018) dated June 12, 2003 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/046,568 (Attorney Docket No. 05725.1018) dated November 5, 2002 (Ex. Venkat)	
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Examiner Signature	Date Considered	
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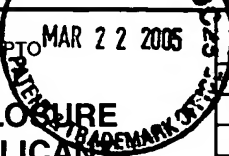


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Sheet	15	of	17	Attorney Docket Number	05725.1018-00000	

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		Office Action in co-pending Application No. 10/787,440 (Attorney Docket No. 05725.0816-02) dated August 24, 2004 (Ex. Venkat)	
		Origins Full Story™ Lush lash mascara product packaging, believed to have first been sold in 2003	
		PCT Application No. PCT/FR01/03962; Attorney Docket No. 5725.0816-01-0304 Title: COMPOSITION COMPRISING AT LEAST ONE HETEROPOLYMER AND AT LEAST ONE INERT FILLER AND METHODS FOR USE Inventors: Véronique FERRARI et al. International Filing Date: December 12, 2001	
		PCT Application No. PCT/FR01/03963; Attorney Docket No. 5725.0817-01-0304 Title: COSMETIC COMPOSITIONS CONTAINING AT LEAST ONE HETEROPOLYMER AND AT LEAST ONE GELLING AGENT AND METHODS OF USING THE SAME Inventor: Véronique FERRARI International Filing Date: December 12, 2001	
		PCT Application No. PCT/FR01/03965; Attorney Docket No. 5725.0795-01-304 Title: COSMETIC COMPOSITION COMPRISING HETERO POLYMERS AND A SOLID SUBSTANCE AND METHOD OF USING SAME Inventors: Roberto CAVAZZUTI et al. International Filing Date: December 12, 2001	
		PCT Application No. PCT/IB00/02000; Attorney Docket No. 5725.0816-0304 Title: COMPOSITION COMPRISING AT LEAST ONE HETERO POLYMER AND AT LEAST ONE INERT FILLER AND METHODS FOR USE Inventors: Véronique FERRARI et al. International Filing Date: December 12,2000	

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

			<b>Complete if Known</b>		
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>			Application Number	10/046,568	
			Filing Date	January 16, 2002	
			First Named Inventor	Xavier BLIN	
			Art Unit	1615	
			Examiner Name	Jyothsna A. VENKAT	
			Attorney Docket Number	05725.1018-00000	
Sheet	16	of	17		

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		Translation
		PCT Application No. PCT/IB00/02006; Attorney Docket No. 5725.0817-0304 Title: COSMETIC COMPOSITIONS CONTAINING AT LEAST ONE HETEROPOLYMER AND AT LEAST ONE GELLING AGENT AND METHODS OF USING THE SAME Inventor: Véronique FERRARI International Filing Date: December 12, 2000		
		PCT Application No. PCT/IB01/02780; Attorney Docket No. 5725.0819-01-304 Title: COMPOSITION STRUCTURED WITH A POLYMER CONTAINING A HETEROATOM ORGANOGELEATOR International Filing Date: December 12, 2001		
		PCT Application No. PCT/US00/33596; Attorney Docket No. 5725.0795-0304 Title: COSMETIC COMPOSITION COMPRISING HETERO POLYMERS AND A SOLID SUBSTANCE AND METHOD OF USING SAME Inventors: Roberto CAVAZZUTI et al. International Filing Date: December 12, 2000		
		PCT Application No. PCT/US01/47454; Attorney Docket No. 5725.0806-0304 Title: COMPOSITIONS CONTAINING HETEROPOLYMERS AND OIL-SOLUBLE POLYMERS AND METHODS OF USING SAME Inventors: Carlos PINZON and Paul THAU U.S. Filing Date: December 12, 2001		
		PCT Application No. PCT/US01/47459; Attorney Docket No. 5725.0594-0304 Title: COSMETIC COMPOSITIONS CONTAINING AT LEAST ONE HETERO POLYMER AND AT LEAST ONE FILM-FORMING SILICONE RESIN AND METHODS OF USING Inventors: Mohamed KANJI et al. U.S. Filing Date: December 12, 2001		
		PCT Application No. PCT/US01/47496; Attorney Docket No. 5725.0809-0304 Title: COMPOSITIONS CONTAINING HETEROPOLYMERS AND METHODS OF USING SAME Inventors: Carlos PINZON and Paul THAU U.S. Filing Date: December 12, 2001		
		PCT Application No. PCT/US01/47497; Attorney Docket No. 5725.0808-0304 Title: COMPOSITIONS CONTAINING HETEROPOLYMERS AND OIL-SOLUBLE ESTERS AND METHODS OF USING SAME Inventors: Carlos PINZON and Paul THAU U.S. Filing Date: December 12, 2001		
		PCT Application No. PCT/US01/47499; Attorney Docket No. 5725.0595-00-304 Title: COSMETIC COMPOSITIONS CONTAINING HETEROPOLYMERS AND OIL-SOLUBLE CATIONIC SURFACTANTS AND METHODS OF USING SAME Inventors: Carlos PINZON and Paul THAU U.S. Filing Date: December 12, 2001		
		PCT Application No. PCT/US03/41618; Attorney Docket No. 5725.1338-00-304 Title: COSMETIC COMPOSITIONS COMPRISING A STRUCTURING AGENT, SILICONE POWDER AND SWELLING AGENT Inventors: Shao Xiang LU, Terry VAN LIEW, Nathalie GEFFROY-HYLAND International Filing Date: December 22, 2003		
		PCT Application No. PCT/US04/01071; Attorney Docket No. 5725.1335-00-304 Title: LONG WEAR COSMETIC COMPOSITION Inventor: Balanda ATIS International Filing Date: January 16, 2004		

Examiner Signature		Date Considered	
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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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of

17

Application Number

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Xavier BLIN

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Examiner Name

Jyothsna A. VENKAT

Attorney Docket Number

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**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation
		U.S. District Court for the District of New Jersey Civil Docket for L'Oreal S.A. et al. v. Estee Lauder Companies, Inc., et al., Civ. No. 04-1660 (HAA) (filed April 4, 2004) (retrieved January 2, 2005)	

Examiner  
SignatureDate  
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